

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b>			Docket No.	
Under 37 CFR 1.97(b), (c), or (d)			SEDN/245CIP3	
In re Application of:		Donald F. Gordon et al.		
Serial No.		Filing Date	Examiner	Group Art Unit
09/458,796		December 9, 1999	Huynh, Son P.	2611
Title:	APPARATUS AND METHOD FOR COMBINING REALTIME AND NON-REALTIME ENCODED CONTENT			
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			JAN 28 2005 <b>OFFICE OF PETITIONS</b>	
<b>37 CFR 1.97(b)</b>				
1.	<input checked="" type="checkbox"/>	The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.		
<b>37 CFR 1.97(c)</b>				
2.	<input type="checkbox"/>	The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), but prior to the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by the statement or fee as indicated below.		
<b>37 CFR 1.97(d)</b>				
3.	<input type="checkbox"/>	The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), but on or before payment of the issue fee and is accompanied by the statement and fee as indicated below.		
<b>Required Statements and/or Fees Under 37 CFR 1.97(c) or (d)</b>				
	<input type="checkbox"/>	Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement. (37 CFR 1.97(e)(1))		
	<input type="checkbox"/>	No item of information in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement. (37 CFR 1.97(e)(2))		
	<input type="checkbox"/>	The fee set forth in 37 CFR 1.17(p). Please charge the fee to Deposit Account No. 20-0782.		
<b>37 CFR §1.704(d)</b>				
4.	<input type="checkbox"/>	Each item of information in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print /Type)	EAMON J. WALL	Registration No. (Attorney/Agent)	39,414
Signature	<i>E. J. Wall</i>	Date	1/28/05

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:			
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	09/458,796
Filing Date	12/9/99
First Named Inventor	Gordon
Art Unit	2611
Examiner Name	Huynh Son P.
Attorney Docket Number	SEDN/245CIP3

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US-			
	2	US-			
	3	US-			
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	19	US-			
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	21	US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	A	WO 00/05890	02-03-2000	DIVA Systems Corporation		
	B	WO 00/05892	02-03-2000	DIVA Systems Corporation		
	C	EP 0 966 164 A2	12-22-1999	Sony Corporation		
	D					
	E					
	F					
	G					
	H					
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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